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SUBJECT: IRF Ambassador at Large Hanford's March 4 Meeting with Committee on Religious Affairs Chairman Thi

1. (SBU) Summary: During a nearly three-hour meeting March 4, Committee on Religious Affairs (CRA) Chairman Ngo Yen Thi told visiting Ambassador at Large for International Religious Affairs John V. Hanford that the situation for religious freedom in Vietnam has never been better, with the recent Prime Minister's Instruction on Protestantism and the upcoming implementing regulations for the Ordinance on Religion creating a new and more open atmosphere. Ambassador Hanford acknowledged the many positive changes that have taken place and stressed his desire to find a way to address the concerns that had led to Vietnam's designation as a Country of Particular Concern (CPC) for religious freedom violations.

2. (SBU) Summary, cont'd: On legal and regulatory changes made possible by the new Instruction and implementing regulations, Chairman Thi said that Decree 26 would no longer be valid. For the most part, religious groups would not have to seek permission from authorities for their activities but rather inform. The CRA would have the responsibility to monitor the performance of local authorities in dealing with religious matters and make "timely interventions" when necessary. CRA Chairman Thi stressed that local authorities will have increased responsibilities to be aware of the religious situation in their area and play a greater role in facilitating religious life. End Summary.

3. (SBU) Ambassador at Large for International Religious Freedom John V. Hanford met March 4 for nearly three hours with GVN Committee on Religious Affairs Chairman Thi. The Ambassador, DRL/IRF officer Matthew Schmolesky, Pol/C and Poloff also attended. Chairman Thi opened by noting that, in the area of religious freedom, Vietnam has made much progress recently. For example, the 2004 Ordinance on Religion and the Prime Minister's recent Instruction on Protestantism will ensure that those who want to practice religion will be able to do so, will prohibit forced renunciations and will punish those who violate this proscription and will simplify the processes for registering religious groups. (Note: The long-awaited implementing decree for the Ordinance was made available to us March 7, and we will transmit it septel. End note.) The GVN will also facilitate the opening of schools for "religious officials," Chairman Thi said.

4. (SBU) The Prime Minister's Instruction has important provisions for Protestants in the Central Highlands, including language prohibiting forcing people either to renounce or follow a certain faith, Chairman Thi continued. The GVN will also recognize Protestant congregations in the Central Highlands and work to ensure that they have their own places of worship. In 2005, "the situation should improve greatly," Chairman Thi observed. In places where it is not yet possible to build churches, the GVN will identify places for people to worship. "Protestants in the Central Highlands are very happy with the Prime Minister's Instruction," he noted.

5. (SBU) Continuing, Chairman Thi said that, on the occasion of the February Tet amnesty, the GVN had released a number of people "detained for breaking the law." The GVN is also trying to help Protestant congregations in the Central Highlands and the Southern Evangelical Church of Vietnam (SECV) to organize training courses in theology, the Chairman said.

6. (SBU) Thanking Chairman Thi for his remarks, Ambassador Hanford agreed that significant progress has been made. According to our Vietnamese religious contacts, religious leaders in Vietnam have been encouraged by Vietnam's new policy direction. Ambassador Hanford described for Chairman Thi the reasons behind his visit to Vietnam, in particular his hope that an agreement could be reached that would obviate the need for other CPC-related action, as required under U.S. law. He also expressed his desire to work with the GVN to find a way to address some of our concerns about the state of religious freedom in Vietnam, particularly those concerns that led to Vietnam's designation as a Country of Particular Concern (CPC).

17. (SBU) Chairman Thi described the CRA's "functions and responsibilities" as carrying out the policies and guidelines of the GVN in the area of religion, and that Vietnam's policy is to respect religious freedom and allow people to either follow or not follow a particular religious belief. In short, the CRA has the responsibility of ensuring the "normal religious life" of the people. Religious groups consider the CRA to be a "member of the family" and frequently approach the Committee to discuss issues of concern. Turning to the purpose of Ambassador Hanford's visit to Vietnam, Chairman Thi noted that this is a "very delicate issue" that, if not treated sensitively, could cause international public opinion to think that the United States has exerted pressure on Vietnam. Vietnam cannot provide its commitment to ensure the religious life of Vietnamese believers because this is a natural and essential responsibility of the State. That said, the CRA appreciates the chance to exchange thoughts with Ambassador Hanford and others, and there is no obstacle to continuing to do this, Chairman Thi said.

18. (SBU) Remarking on Chairman Thi's comment that religious groups consider the CRA to be part of the family, Ambassador Hanford said that most of the complaints from religious leaders and adherents have seemed to be directed towards local and provincial authorities, not the CRA. Ambassador Hanford agreed that the issue at hand must be handled delicately. One of our goals is to strengthen bilateral relations while creating a better atmosphere for the practice of religion in Vietnam. Hopefully, improvements to the state of religious freedom in Vietnam will lead to a good atmosphere for the Prime Minister's hoped for visit to the United States this summer. Religious freedom is a key issue for the American people and the President, and we hope to eliminate this matter as a source of tension between the United States and Vietnam, Ambassador Hanford said. Chairman Thi thanked Ambassador Hanford for his efforts and urged him to discuss the practical aspects of this matter with the Ministry of Foreign Affairs.

19. (SBU) Turning to specific issues contained in the recent Prime Minister's Instruction and Ordinance on Religion, Ambassador Hanford asked if the new Instruction or the Ordinance trumped Decree 26 (which deals broadly with religious issues). Chairman Thi responded that Decree 26, released in 1999, contains "certain provisions not appropriate to current practice." The Ordinance therefore supersedes Decree 26 and "any inappropriate use of it." In short, "Decree 26 has no more role," Chairman Thi said.

110. (SBU) On the subject of religious training in the Central and Northwest Highlands, Ambassador Hanford noted that Protestant leaders have expressed concern about the efforts of certain other groups to try to "hijack" religion with teachings not in conformity with SECV or Evangelical Church of Vietnam: North (ECVN) teachings or doctrine. The SECV and ECVN leadership thus believes that increased teaching and training opportunities would help eliminate these problems. Similarly, training of local officials about the requirements of the new Instruction and other regulations will be essential. On the Prime Minister's Instruction, it was helpful to read that the "chicken-and-the-egg" problem of churches' not being able to register without property, but not being able to own property without being registered has been addressed, Ambassador Hanford said.

111. (SBU) Chairman Thi noted that, in addition to providing guidance, the Central Government will also require localities to have concrete implementation plans in place for the Prime Minister's Instruction. The CRA intends to monitor and assess the performance of localities, Chairman Thi said. Ambassador Hanford noted that the desire of house church groups to register means that they desire to be legal and above ground, and the Prime Minister's Instruction's provisions on registration can eliminate problems for many religious groups that have to date been outside the law. Another important provision of the Prime Minister's Instruction is the language indicating that religious groups will not have to seek permission but merely inform about certain activities. Ambassador Hanford expressed his hope that the Ordinance on Religion's procedures for registering churches are streamlined and achievable. It would be especially significant if these procedures have a particular timetable for local officials to respond to registration requests, Ambassador Hanford said.

112. (SBU) Based on the Ordinance on Religion's implementing decree, depending on the type of activity, religious groups will have to contact the authorities in one of three ways, Chairman Thi explained: 1) Notify the local authorities but not have to seek permission; 2) Register activities; 3) or, Register and wait for the local authorities to respond, within a specified time limit for both local and Central Government authorities. The GVN wants to apply this three-level model as part of a broader administrative reform effort, in addition to seeking to facilitate the nation's

religious life. The GVN's position is that local officials should not abuse their discretion, and, to that end, the CRA is currently trying to set up an inspection team to carry out checks at the local level and make "timely interventions" when necessary, Chairman Thi explained.

113. (SBU) In response to Ambassador Hanford's question about religious groups' right to appeal a locality's rejection of a particular request, Chairman Thi said that Vietnamese law has a separate right of appeal. That said, the CRA's "inspection section" would deal directly with local authorities on written requests for appeals. Responding to Ambassador Hanford's request for clarification on the question of the re-registration requirement - and the possibility that local authorities would abuse this requirement to keep religious groups "in line" - Chairman Thi said that, in fact, there is no re-registration requirement. There is a requirement, however, for religious groups to file annual reports about their activities to local authorities.

114. (SBU) Ambassador Hanford expressed his hope that some of the positive provisions in the Prime Minister's Instruction on Protestantism would be extended to other religious groups. For example, we are aware that Hoa Hao and Cao Dai faithful hope to take advantage of the new atmosphere of religious freedom. Catholics also would like to increase their seminary capacity. Furthermore, perhaps this new atmosphere could allow for the GVN to resume its dialogue with the United Buddhist Church of Vietnam (UBCV). GVN permission for UBCV leaders to move freely and meet with friends and fellow believers would be a welcome step forward, Ambassador Hanford said.

115. (SBU) In response to a question from Ambassador Marine, Chairman Thi said that the implementation regulations for the Ordinance on Religion would be released in March (Note: The official release date was March 1; we received a copy COB March 7. End note.) In response to Ambassador Marine's request for further clarification of the issue of contact between the Central Government and local authorities on religious matters, Chairman Thi said that the GVN will require local authorities to carry out a survey to determine the "picture" of religious activity in their area. For congregations already recognized by the ECVN, the authorities will have to make sure that the pastor has been trained by the ECVN and that everything is squared away in terms of land and property. For those congregations not meeting the ECVN's requirements for recognition, the local authorities are required to help them to establish themselves to practice their religion. The CRA will provide instructions to local authorities to that effect, Chairman Thi said.

116. (SBU) Chairman Thi also noted that it will be possible for groups without an established church property to register, with someone's home becoming the registered place of worship. Chairman Thi concluded by stressing that there will likely be problems that arise in spite of the new regulations and Instruction. These documents will hopefully, however, form the basis for further improvements. There will also likely be issues that come up that are not dealt with in the regulations, and the GVN will have to direct its attention to these matters, the Chairman said.

117. (U) Ambassador Hanford cleared this message.

MARINE